



Citizenship Law: Rights and Duties

By Richard Weiss

THE proof of the pudding is in the eating — and of a law, it might be said, in its working. There seems to be no doubt, judging from the number of complex files piled high in Government offices and the patient expressions of the officials dealing with them, that the Citizenship Law has been causing a certain amount of digestive trouble.

"Persons who have the right to opt out of citizenship, must do so by July 14, 1952," the law declares sternly and categorically. When a provision of this nature is made, giving no quarter and allowing for no exceptions, an administrative apparatus must go on with it to regulate each and everyone affected by the law of his rights and duties. In practice, however, sometimes through carelessness, sometimes through lack of the fundamental effect large-scale notifications, prisoners, persons confined to hospitals and lunatic asylums, residents overseas in remote cities, found to their great surprise that after July 14 they had become Israeli citizens and missed an opportunity of which they had never been aware.

The law provides for no remedies in such cases and the Ministry of Interior is given no extraordinary power to accept declarations after the deadline. The case of a foreign couple is known, where the wife was too ill to make the necessary declaration and the husband, who was asked him to do so, declared that he gave particular about his wife, believed that he had thereby also opted out for her. In fact, however, only he himself had successfully rejected Israeli nationality and his wife became an Israeli citizen. Since under the laws of her home state she risked losing her citizenship, Government officials accepted the declaration belatedly and asked her to support it by a statement under oath about the exceptional facts of the case.

'Acrobatics' Not Rule

But acrobatics of this sort are not the rule: a Palestinian who left for studies overseas knew nothing of the law and returning after July 14, found out the facts to his great regret. The law provides that Palestinians become Israelis if they have lived here from the date the State was established till July 14 or if they entered legally during that period. He was told that he had lost his chance of gaining automatic citizenship and would have to apply for naturalization — a process which is less advantageous to the applicant.

Another front on which the law would seem to be functioning unfairly is with regard to Jewish children born in Israel of tourist parents. Citizenship is

borrowed compulsorily on all persons born here after the establishment of the State and a tourist couple passing through Israel might find that a fortnight's stay has cost their offspring the nationality of their homeland. This is a situation, however, which also arises under the laws of other countries.

Endless Combinations

Again, with uncompromising absolutism, the law states that in order to opt out for a minor, who would otherwise become a citizen, both parents must make declarations for themselves as well as for their children. An endless series of combinations, each raising problems of a complex nature, can be conceived. It could happen, for example, that though both parents are in Israel and opt out for themselves, only one does so for the child. Or, one parent may be here, opting out both for himself and for the child. In both of these cases, since only one of the parents made a declaration for the minor, he automatically gets Israeli citizenship. The logic of the law may be understandable to a certain extent, in as much as it decides in favour of the State in doubtful cases: the child is in Israel, subject to the law, and unless both parents fulfil its conditions rigorously, it will be claimed by the State as a citizen. From the moral point of view, however, it seems rather arbitrary that if the father declares out for the child and the mother does not, the law should give her, or in the converse case, him, a helping hand in their dispute.

But far from moral justification, there is also no logic in the case where the parents are divorced and one of them is in Israel, opting out both for himself and the child. According to the law, the minor would be made a citizen, because only one parent made the necessary declaration. A similarly frustrating situation arises when one of the parents is dead. It seems that in these two cases the Government would take a lenient view and a judgment of the Jerusalem District Court indicated that the Bench would uphold this practice.

The view has also been expressed in some quarters that a choice should be given the minor to undo what his parents did. Such a move, however, is not in the picture. Thus if the parents did not declare out on his behalf, the minor should be given the opportunity to do so himself. This is a question of maintaining maturity. Similarly, if they did opt out for him, he should later be able to claim automatic citizenship. This is a question, however, and the verdict in the latter case would have to go to Cyprus (or anywhere else abroad) and remain unanswered.

(This is the first of two articles on the Citizenship Law.)

Social & Personal

The President has received messages of greeting on the occasion of Independence Day from the King of Sweden, the Queen of Holland, the President of Turkey, the President of India, and the President of Finland. Greetings from the Foreign Ministers of Switzerland and Denmark, and from the Icelandic Minister to Israel who resides in Stockholm, were received at the Ministry for Foreign Affairs.

Dr. P. Steinari, Minister Plenipotentiary and head of the Representations Purchasing Mission left for London on El Al on his way to Germany.

Mr. Trevor Christie, T.C.A. Tourist Adviser for the Middle East, who is resident in Beirut, arrived in Israel on Sunday.

Mr. M. Hindes, Manager of the Hodar Carmel branch of the Bank Leumi, has gone abroad on the Bank's business.

A flower display by a newly-wedded couple at the home of Mrs. Harvey Miller on Mount Carmel, attracted many tourists and Haifa residents last week. Simple arrangements of flowers in up-to-date containers were demonstrated by Mrs. Molly Fish and Mrs. Julie Simeon. Mrs. Norma Jacobs is chairman of the group.

Miss Margaret Digby, O.S.B., Secretary of the Horace Plunkett Foundation, London, will speak on "Education in Transition Societies (Undeveloped Countries)" in the first of two guest lectures given under the auspices of the Hebrew University, at 8 p.m. every Friday, at the Rathbone Building, Hall 72, Jerusalem. The public is invited.

Dr. Daniel Lewis, Director of the Asian Division in the Ministry for Foreign Affairs, will speak on "Israel's Relations with the Far East" at Wednesday's meeting of the Jerusalem Rotary Club.

BIRTH AND DEATH MILLS

ERAN: To wife (nee Rosenberg), wife of Dr. A. Eran, on April 19. Brit Millah will take place at noon tomorrow, April 22, at their residence, Rehov Meahut, Bet Hakerem.

For your cutting from this paper — a name cutting in memory of this column of The Jerusalem POST.

Heifetz Hopes To Return to Israel

LYDDA AIRPORT, Monday (ITIM). — "I hope to perform again in Israel, but if I don't come in the near future it will not be because I was assaulted." Mr. Jascha Heifetz told reporters here before taking off for Italy by S.A.S. today.

On the assault itself, the world-famous violinist said he wanted to forget the whole incident. He said his injured hand was mending rapidly and he hoped his performance with the Naples Philharmonic Orchestra would pass without a hitch.

Arriving at Lydda Airport 40 minutes before take off, Mr. Heifetz, accompanied by his son, Robert, and wife, was greeted with spontaneous applause and presented with a bouquet of flowers by members of the I.P.O. who came to see him off.

Mr. Heifetz boarded the plane after writing with his son, who will remain here for some weeks to study collective farming.

OBITUARY

MISS HANNAH RAPHAEL

The doveys of the Anglo-Jewish community and one of the oldest residents of Jerusalem, Miss Hanna Raphael, passed away peacefully yesterday in her 77th year.

A former headmistress of the Jews Free School in her native town of Manchester, she settled after her retirement in Jerusalem where she volunteered as a private teacher of English for nearly 25 years.

The funeral took place from the Bikur Holim Hospital yesterday evening.

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FULLER details of last Friday's piratical action by an Egyptian naval vessel against three Israeli fishing smacks have not lessened the indignation felt in this country.

It appears that the Egyptian warship, a corvette, intercepted the Israeli ships in international waters twenty-five miles from the coast between Gaza and Rafah, ordering them in English and by megaphone to lower their flags and lift their nets. When the Israeli ships had raised the nets and set their course northwards the corvette gave chase and signalled them to heave to. Two of the fishing smacks complied, but the third, which had misunderstood the message, continued, whereupon the corvette opened fire. The fishing vessel then hove to and was boarded by an Egyptian arm party, which carried out a thoroughgoing but fruitless search. "It is all right," said the leader of the boarding party. "We were looking for hashish." The Egyptians then returned to their corvette, which gave the three Israeli vessels the signal to proceed on their way.

The cynical explanation of the Egyptian who was in charge of the search cannot be taken as excuse or extenuation and probably was not intended to be. The forcible interception and boarding on the high seas of the craft of one country by the naval forces of another is contrary to the most elementary rule and practice of International law except in time of war. If Egypt chooses to consider herself at war with Israel, and therefore justified in carrying out such acts of war as the forcible detention and boarding of Israeli vessels on the high seas — however logically that step may proceed from another act of war, the blocking of the Suez Canal against Israeli cargoes — she must plainly say so. Acts of war cannot indefinitely be left to coincide; and if that one side considers itself to be in a state of war with the other, sooner or later the other must draw the obvious and regrettable conclusion. If, in this instance, Israel has not yet drawn that obvious and regrettable conclusion, it is because she has continued, year after year, to rely upon the influence of U.N. and of the Western Powers ultimately to bring Egypt and the other Arab States to their senses. The fact that U.N. and the Western Powers have not yet exercised that wholesome influence remains one of the most puzzling obscurities of current international affairs.

Egypt's high seas challenge came almost simultaneously with three conspicuous acts of border violence in the Jerusalem area. A Jerusalem woman was shot and killed by an Arab Legion soldier sniping from the Old City walls. A band of armed Jordanians in the Wadi Fukin engaged a small Israeli patrol and killed two of its members. In a third incident six armed Arabs were encountered by police inside the limits of the city and one of them was killed. And on Sunday night two persons were murdered by infiltrators in the Jerusalem suburb of Montefiore.

These affrays have become almost a daily occurrence along Israel's frontier with Jordan. The Jerusalem incidents show painfully enough that they are not confined to remote or unpopulated sections of the frontier. They serve to make insecure a considerable part of Israel's territory, which is not less essential to the development and settlement of this country because it is near the border.

It is against this hideous background that the Government's decision to set the problem squarely before the diplomatic and military representatives of the Western Powers and Turkey must be seen. As the Prime Minister, Mr. Ben Gurion emphasized in his broadcast address on the eve of Independence Day, Israel fervently desires peace — internal peace, regional peace and world peace. But peace like war, cannot be considered. It is essential, therefore, that those Governments and international bodies which are themselves committed to preserve peace, and which possess powers of persuasion over the countries of the world, should demand of themselves, if not to induce the Arabs to make formal peace with Israel, at least to disengage them from acts of war and from the dubious associations of terrorism, which, if allowed to continue unchecked can only end in the outbreak of open conflict.

YOSHIDA'S FAILURE TO RALLY LIBERALS

Instability in Japanese Politics

By PATRICK O'DONOVAN

THIS massive avenging Diet is meeting in Tokyo which houses the Japanese Senate and House of Representatives and the death-place of Japanese democracy. It was built just in time for the gradual defeat of the liberals and the old gentle-minded men by the militarists before the war. There is little cause to be happy about what is going on in the same building today.

The roots of Japan's present mode of government are very shallow and do not greatly involve the hearts of her people. When Japan emerged from the war and General MacArthur decreed a democracy, not the least of her difficulties was the absence of leaders and even of what the West recognises as politics. The natural leaders were either in prison awaiting trial as war criminals or else, one by one, were "purged," declared ineligible for any sort of public or commercial life. Power fell by default into the hands of ex-civil servants from the less important ministries or to men who had been ambassadors abroad during the bad years or to professors who had managed to steer clear of politics. Such men as the present Premier, the Foreign Minister, leader of the largest opposition party, and the leader of the Leftists.

But nothing like a clear parliamentary pattern emerged. Parties formed and broke like amoebas in a spot of pond water and, in almost every case, the nucleus of the party was not a principle or programme but an old man. The Liberal Party took final shape round Mr. Hatoyama; but, literally on the eve of his becoming Prime Minister, the Americans declared him purged and so power was handed to the career diplomat, Mr. Shigeru Yoshida, who is today technically leader of the Liberal Party. Until March 14 he headed a Liberal Government and now he heads a caretaker government until the election on April 19 which will almost certainly cost him his job.

Shigenobu's Following

The next largest party, the Progressives, was founded by disappointed Liberals and eventually coalesced round the person of Mr. Shigenobu, who is a genuine Grand Old Man. He is a cripple as a result of an attempted assassination in Shanghai before the war and it was he who signed Japan's instrument of surrender aboard the U.S.S. Missouri.

These two parties are implacably opposed to each other. The Progressives have no regard for cooperation. Yet by Western standards both are conservative and both are, at least a United Front government is necessary for Japan. The Socialists have split into Rightists and Leftists. They divided originally over control of a vague philanthropic body opposing Communism and trying to avoid the issue of rearmament, while the Leftists stood for trade

TEL AVIV ART NOTES

Folk-Painting, Masks, Monotypes

THE Tel Aviv Museum is currently showing a collection of works by Johanna Simon, of Kibbutz Gan Shmuel, one of this country's few painters who are trying to create popular folk art — much along the lines of Mexican Diego Rivera — using the surroundings in which he lives as subject matter.

The present show contains paintings executed since Simon's return from England a year ago. There is one English landscape included which with its sedate colour scheme of soft greens, blues and browns, strikes a pleasant note of quiet. The collection as a whole is in the painter's usual vein; highly formalized figures and landscapes, main accent on design which even when elaborate is nearly always clearly defined, and colours which tend towards the lurid.

Simon is particularly fond of a bright "Ricketts" blue which looks as if it had been squeezed straight out of the tube on to the canvas. Without exception all the kibbutz scenes show assurance and competence in handling. And some of them, such as "Arbour Day," "View of Gan Shmuel," "Nurse with Children" make effective pieces of decoration apart from their descriptive quality. The large "Street Scene" with its complicated groups of figures demonstrates how well Simon can deal with elaborate patterns. For the first time the artist shows a nude and couple of "straight" portraits: the former, while solidly drawn, is unpleasant in colour; but the portraits are wokmanlike pieces.

Wood Carvings & Monotypes

The Mikra Studio is showing a double exhibition of wood carvings by Miriam Heyman-Ahifeld and monotypes by Yehoshua Baumfreund. The carvings are a dozen masks and a study of a bird in ebony. This last, small work is an exceptionally good piece. Its very simplified forms, sharp in outline, are distinct with life as the bird has been caught and imprisoned in wood at a moment between flight. The masks are skilfully executed, with a smooth and softly curved surface but overall appeal is very spiritual.

Technique, craftsmanship, originally from Czechoslovakia,

with China, no immigrants or immigrants with the West — is not the most distinguished front of the Congressmen, who are not represented in the House.

But the complication of the Parliamentary scene is based on the fact that the bitterest struggle of all is inside the Liberal Party. There are some 70 Liberals, supporters of Mr. Hatoyama or of Mr. Hirokawa who was recently coldly sacked by Mr. Yoshida for disloyalty, who have opposed Mr. Yoshida at almost every turn. Yoshida believes that, now he is out of power, he has the right to the Premiership and Yoshida has never had any intention of returning it to him. Yoshida, in fact, has done little or nothing to conciliate these jealous men and now — in their anger which seemed more vindictive than righteous — they passed a vote of no confidence on Mr. Yoshida and pulled the party down about their ears.

Liberals Fail

An unpleasant situation has now arisen. The Liberal Party went to the polls this week in three separate groups and failed to gain a majority. Yoshida's intransigence has lost him support. Most professional politicians actively dislike him and he arouses little enthusiasm in the country. The Progressives have won no popularity during the Government's six months of life. They were too hard to distinguish from the Liberals — except in their attitude to personalities. The Rightist-Socialists gained for no better reason than that the conservative wing has exhausted its popularity. The Rightist Socialists under the leadership of the Christian Mr. Katayama, inspired little confidence for the future: during the Occupation they ran a government notorious for its inefficiency and corruption; and their leaders are men of small

ways maddening because it always emerges that Japan is right and the rest are wrong. Yet even among the students there are a few real Communists. There is something melancholy in their uncertainty. They have lost their old convictions of what is right and inevitable; they have still to find something to put in their place; they provide only the vaguest sort of leadership for the new Japan.

O.F.N.S.

It looks as if Japanese politics are due for a period of instability and French model — undermined at a stroke by the country's need of government is still in a formative stage and when the desire of each party to win the political field is left — taking advantage of the shabby shuffle is very real. Japan's leaders and way of government are not yet fully understood and even from the people and for that the Liberal Party cannot escape blame.

The impression left by the party struggle in Japan is one of irresponsibility and unreality. Somehow it does not reflect the dilemma that face the country and the sombre debating chamber is no place for finding out what is happening in Japan or how its people feel.

Ruined by War

Japan's dilemma is simple and terrible. It was utterly ruined by the war, stripped of its markets and sources of raw materials. It can no longer rely economically on itself and its own efforts. It has to decide whether to commit itself to the

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NATURE NOTES

Hardworking Parents

THE Great Tits are late this year. The pair which reared numerous families in my neighbour's letterbox hatched their first brood on April 2, ten days or a fortnight later than usual. Small wonder, for the strenuous little pair have performed the almost unique — they produced a family of eight, of whom five survived. In the midst of winter, as they were hatched on November 21, seeing that this brood left the nest on December 9, and the hen began building the pre-sent nursery on February 23, she had a very short respite.

When one sees how hard-worked these tiny things are, feeding from eight to ten greedy babies and keeping the nest clean, one wonders how they manage to rear two, let alone three broods. Each of the parents feeds as much as a 100 metres a day in this period of sunlight, even though their food supply is nearby. During the second week of the babies' life I have seen the hen carry food 60 times an hour, and the cock about half as often. He rarely feeds the babies himself, as a rule delivering the morsel to the mother outside the box. She then clammers over and stuffs the food into whatever maw is wide open.

In these farms there are half a million chickens, 1,500 cows and some 1,000 sheep. The produce marketed last year was worth nearly IL 50, in addition to what was consumed by the settlers themselves. New settlements have been set up during the last few years accommodating 1,000 families, and 500 new units are in preparation. While the problems of purchasing and splicing of machinery between the various settlements are half solved, the problem of feeding all the chickens is still unsolved. The male for vegetables cannot be further expanded — at least not as long as we cannot export sizable quantities of vegetables and the versatility of these settlements is in itself an asset not to be assessed in pounds.

SUCCESS AND SETBACKS OF SMALLHOLDERS

Report on the Private Farmer

POST Economic Correspondent

THE audit union of the private farmers' cooperative "Bahan" recently held its annual meeting at Ramot Hashavim. The villages which are organised within this framework comprise some 8,000 farms. Some of them are very small dunes and in addition there are artisans and others who tend two and a half dunams plots to supplement their incomes. Of the 25 dunams of a regular farm ten are generally irrigated. Some of the land is freehold but the largest part belongs to the Keren Kayemet and some is taken over from the Custodian of Abandoned Property. Since the time when the Government asked all chicken farmers to grow at least part of their feed, 80,000 additional dunams have been taken over to grow grain.

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Settlement Department for the Middle Classes of the Jewish Agency pointed out in its opening speech that for the first time settlers have been forced to seek money obtained for long term investments to supply day to day needs. In these settlements the neglect of the human element and especially the type of man we shall have to turn into a farmer. He warned us again of the trend to "set the clock back" and to switch over from a frenzy of mechanisation to the old methods of the Arab farmer. Simultaneously he stressed that press reports had given a somewhat exaggerated version of the suggestions of the chairman of the National Bank. The meeting heard an outline of Mr. Hoeffen's plans from Mt. Gershom Kaddar, the Bank's agricultural adviser. His views, which have in the meantime been published in a booklet with a preface by Mr. Hoeffen, deserve special consideration and will be dealt with in a later article.

TAIL-PIECE. — The meeting at Ramot Hashavim again proved that the sort of settlement organized in "Bahan" has more to give to the country than eggs and vegetables. The hall in which the delegates gathered was neat and clean, the gardens full of flowers, the roads well kept. One of the visitors seeing it for the first time expressed his amazement at finding it as clean as a cafe in one of the more prosperous quarters of Tel Aviv. This sort of tradition of orderliness is in itself an asset not to be assessed in pounds.

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